

The Law Offices of
ANDREW J. FRISCH, PLLC
40 Fulton Street, 17th Floor
New York, New York 10038
212-285-8000

August 15, 2022

The Honorable Loretta A. Preska
United States District Judge
Southern District of New York
500 Pearl Street
New York, New York 10007

Re: *United States v. Alfonso Portillo;*
Otilia Portillo Padua, Claimant-Petitioner;
Criminal Docket No. 09-1142 (LAP)

Dear Judge Preska:

A fact-finding hearing on the claim of my client Otilia Portillo Padua is scheduled to begin on September 7, 2022. I write to request that the Court permit one of the claimant's anticipated witnesses to testify remotely via video. AUSA Sarah Mortazavi has advised me that the government has no objection to this application.

One of the claimant's anticipated witnesses is her aunt, Yamel Saraya Padua González. As established by the claimant's accompanying declaration and letter of oncologist Roberto de la Peña Lopez, the claimant's aunt is 76 years-old, resides in Mexico, and continues to suffer from the consequences of surgery for breast cancer and associated chemotherapy and radiotherapy. Dr. de la Peña opines in his letter that it would be unsafe for the aunt to travel and would pose a danger to her physical well-being.

For this reason, I respectfully request that the aunt be permitted to appear at the scheduled hearing remotely via video. If this application is approved, I will work with the Court on logistics for the aunt's video appearance. The aunt speaks Spanish, and the government and I agree that her testimony can be interpreted by a Southern District interpreter present in the Courtroom.

SO ORDERED

Loretta A. Preska
LORETTA A. PRESKA
UNITED STATES DISTRICT JUDGE

Respectfully submitted,

/s/ Andrew J. Frisch
Andrew J. Frisch

cc: AUSA Sarah Mortazavi

Enclosures

8/15/22